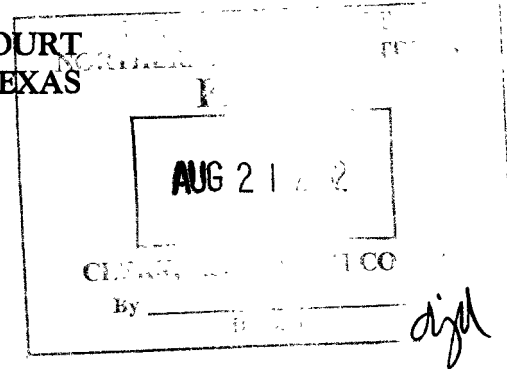


clj w/o  
ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



ASPEX EYEWEAR, INC. et al.,

Plaintiffs,

vs.

E'LITE OPTIK, INC.,

Defendant.

CIVIL ACTION NO. 3:98-CV-2996-D

**UNOPPOSED MOTION FOR LEAVE TO  
FILE MOTION TO WITHDRAW WITHOUT STATING REASON**

1. Robert M. Mason, and his firm, Mason & Petruzzi, wish to withdraw from representing Defendant, E'lite Optik, Inc., pursuant to Local Rule 83.12. E'lite has selected new counsel and new counsel have made an appearance and participated in the July 19, 2002 informal status conference. The succeeding attorneys are:

Bruce S. Sostek,  
Jane Politz Brandt,  
Max Ciccarelli, and  
Richard L. Wynne, Jr.  
THOMPSON & KNIGHT L.L.P.  
1700 Pacific Avenue, Suite 3300  
Dallas, Texas 75201  
Phone: 214.969.1700  
Fax: 214.969.1751

2. Local Rule 83.12 requires the withdrawing attorney to specify the reasons requiring withdrawal. Mason & Petruzzi hereby seek leave to file a motion to withdraw under Local Rule 83.12 without stating the reasons for the withdrawal. Opposing counsel does not oppose this motion.

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Respectfully submitted,



Robert M. Mason

State Bar No. 13158240

MASON & PETRUZZI

13601 Preston Road, Suite 402W

Dallas, Texas 75240

972.788.1500

972.877.9100 (facsimile)

ATTORNEYS FOR E'LITE OPTIK, INC.

**CERTIFICATE OF CONFERENCE**

I, Max Ciccarelli, counsel for E'lite Optik, Inc. conferred with Barry J. Schindler, counsel for Aspex Eyewear, Inc., *et al*, on August 12, 2002 regarding the relief sought in this Motion. Mr. Schindler stated that his clients do not oppose this Motion.



Max Ciccarelli


CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been sent by facsimile and <sup>first-class</sup> certified mail, ~~return receipt requested~~, to all counsel of record on this the <sup>16</sup> 8th day of ~~July~~ <sup>August</sup>, 2002, as follows:

Dan Duncan Davison  
Brett Christopher Govett  
FULBRIGHT & JAWORSKI  
2200 Ross Avenue, Suite 2800  
Dallas, Texas 75201

Michael A. Nicodema  
Barry J. Schindler  
DREIER & BARITZ  
499 Park Avenue  
New York, New York 10022

Bruce Sostek  
Thompson & Knight L.L.P.  
1700 Pacific Ave, Ste. 3300  
Dallas, Texas 75201

  
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Robert M. Mason